IN THE UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF MISSISSIPPI EASTERN DIVISION

BARBARA ELAM AND BOBBY ELAM

PLAINTIFFS

VS.

CIVIL ACTION NO. 1:08ev304-GHD-JAD

THE KANSAS CITY SOUTHERN RAILWAY COMPANY AND RONALD L. MICHAEL

DEFENDANTS

AFFIDAVIT OF CHARLES V. LARS

PARISH OF Caddo

- I, Charles V. Lars, first being duly sworn on oath, state as follows:
- I am an adult resident citizen of the State of Louisiana. I have personal knowledge
 of the facts stated herein, and am competent to testify thereto.
- 2. I am presently employed by The Kansas City Southern Railway Company as a General Claims Specialist. On November 19, 2006, I was the Kansas City Southern Railway Company claims agent assigned to the accident at issue.
- 3. On November 19, 2006, I traveled to the location of the subject accident in order to conduct a routine investigation of said accident. Accident investigation is within the regular business activities of a Kansas City Southern Railway Company claims agent. Taking pictures of an accident scene is regular practice during a regularly conducted accident investigation.
- 4. I took photograph numbers 27, 32, and 35, attached hereto, during the course of my regularly conducted accident investigation on November 19, 2006, between 9:47 am and 7:14 pm.
- 5. Photograph numbers 27, 32, and 35 are true and accurate depictions of the scene of the subject accident as it existed on November 19, 2006, the day after the subject accident occurred.



6.	Photographs 27, 32, and 35 are true and accurate depictions of the warning signals					
installed at the subject crossing on November 19, 2006, the day after the subject accident occurred.						
Furthe	r afflant saith not.					

CHARLES V. LARS

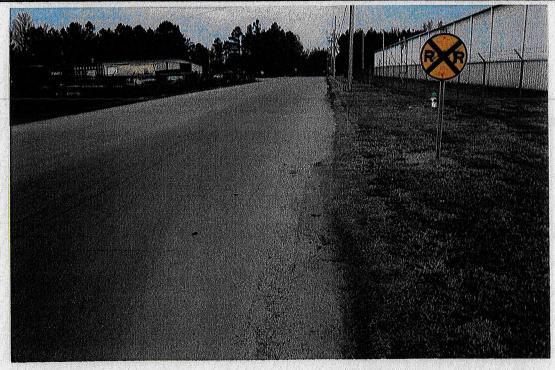
SWORN TO AND SUBSCRIBED BEFORE ME, this the $\underline{\hspace{0.1cm}}$ day of February, 2009.

Dakia Win 10#67295 NOTARY PUBLIC

My Commission Expires:

DEBRA ALLEN, NOTARY PUBLIC CADDO PARISH, LOUISIANA MY COMMISION IS FOR LIFE

	PHOTO SHEET	
KANSAS		
CIIY/	FILE NUMBER SUFFIX	
OUTHERN		012265
[inex]		CLAIMANT
Acres monares monerares		Elam, Barbara
		OCCUPATION OR CLASSIFICATION
PHOTOGRAPHED BY		
Charles V. Lars		
MAKE AND TYPE OF CAMERA		X PI PI&D L&DP
Cannon Power Shot		
BRAND AND TYPE OF FILM		ACCIDENT DATE
Kodak SD card		11/18/06
DATE TAKEN TIME		LOCATION
11/19/06 9:27 am - 7:14 pm	total	Corinth, Ms.
X DAYLIGHT	DARK	FLASH
CLEAR X CLOUDY	RAIN SNOW	OTHER (Indicate)
PHOTO NO 27 CAMER	A HEIGHT Eye	DISTANCE FROM SUBJECT 525'
X PRINT NEGATIVE	DIRECTION FACING	North
	The state of the s	
Description 525' from 1st rail. A	dvanced Warning sign	@ 500°
	BESTERNING AND THE TRANSPORTED AND THE WAS A	



РНО	TO SHEET
Kansas	
City/	FILE NUMBER ISUFFIX
SOUTHERN	012265
Lines p	CLAIMANT
	Elam, Barbara
	OCCUPATION OR CLASSIFICATION
PHOTOGRAPHED BY	A Commence of the Commence of
Charles V. Lars	
MAKE AND TYPE OF CAMERA	PI PI&D L&DP
Cannon Power Shot BRAND AND TYPE OF FILM	ACCIDENT DATE
Kodak SD card	11/18/06
DATE TAKEN TIME	LOCATION
11/19/06 9:27 am - 7:14 pm	Corinth, Ms.
and the second s	
X DAYLIGHT DARK	FLASH
CLEAR X CLOUDY RAIN	SNOW OTHER (Indicate)
CLEAR X CLOOD! KAIN	SNOW OTHER (Indicate)
PHOTO NO 32 CAMERA HEIGHT	Eye DISTANCE FROM SUBJECT 150'
transaction of the second seco	
X PRINT NEGATIVE DIRECTION	N FACING North
Description 150' from 1st rail. Pavement ma	J.L L
Description 150 from 1st rail. Pavement ma	rkings begin @ 135' from 1st rail



	PHOTO SHEET	
KANSAS CITY OUTHERN		FILE NUMBER SUFFIX
Lines		CLAIMANT Elam, Barbara
PHOTOGRAPHED BY Charles V. Lars		OCCUPATION OR CLASSIFICATION
MAKE AND TYPE OF CAMERA Cannon Power Shot		PI PI&D L&DP
BRAND AND TYPE OF FILM Kodak SD card		ACCIDENT DATE
DATE TAKEN TIME 11/19/06 9:27 am - 7:14 pm		LOCATION Corinth, Ms.
X DAYLIGHT DA	RK	FLASH
CLEAR X CLOUDY RA	IN SNOW	OTHER (Indicate)
PHOTO NO 35 CAMERA HEIO	SHT Eye	DISTANCE FROM SUBJECT 50
X PRINT NEGATIVE DIF	RECTION FACING	North
Description 50' from 1st rail. Stop bar	approximately 16	' from 1st rail. Xbuck 37' from 1st rail

